

## Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 INR-10  
NSAE-00 PA-01 ICA-11 SP-02 /040 W  
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R 161300Z JUN 78  
FM AMEMBASSY MBABANE  
TO SECSTATE WASHDC 4985  
INFO AMEMBASSY GABORONE  
AMEMBASSY MASERU  
AMEMBASSY PRETORIA  
AMEMBASSY MAPUTO  
AMCONSUL JOHANNESBURG

LIMITED OFFICIAL USE SECTION 1 OF 2 MBABANE 2034

E.O. 11652: N/A  
TAGS: PINR, WZ  
SUBJECT: TRIAL AND CONVICTION OF PAC MEMBERS

REF: MBABANE 1295

1. TWO OF THE THREE SUSPECTED PAC MEMBERS ARRESTED IN FEBRUARY 1978 (TWO MONTHS BEFORE GENERAL CRACKDOWN ON PAC) WERE TRIED AND CONVICTED IN THE HIGH COURT OF SWAZILAND ON ILLEGAL POSSESSION OF ARMS OF WAR. THE ARRESTS WERE MADE DURING A RAID ON A SUSPECTED PAC ARMS CACHE LOCATED ON A FARM SOUTH OF MANZINI. THE REST OF THE PAC MEMBERS, DETAINED IN APRIL 1978, ARE STILL IN PRISON AWAITING DEPORTATION. THE MEN CONVICTED WERE RICHARD MALINGA AND JOHN MWELASE (A.K.A. ENOCK ZULU). MALINGA WAS SENTENCED TO 18 MONTHS AND FINED E750. ZULU WAS SENTENCED TO 31 MONTHS AND FINED E900.

2. THE THIRD DEFENDANT, JOSEPH MNGOMEZULU, WAS NOT  
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CONVICTED. MNGOMEZULU HAD BEEN SENT TO THE FARM BY HIS CHIEF NTUNJA MNGOMEZULU AND IS NOT A MEMBER OF THE PAC. HE WAS ARRESTED ALONG WITH EVERY PERSON FOUND ON THE FARM, MOST OF WHOM WERE LATER RELEASED. THE MANAGER OF THE FARM, AMBROSE SIMELANE, WHO IS A SWAZI CITIZEN, IS STILL UNDER DETENTION. (MBABANE 2014)  
NTUNJA HAD BEEN RECEIVING ARMS FROM THE PAC FOR USE IN

THE TRIBAL FEUD IN WHICH HE IS INVOLVED. CONFIDENTIAL  
POLICE SOURCES INDICATE THAT JOSEPH MNGOMEZULU WAS ONE  
OF NTUNJAS FOLLOWERS WHO WAS TAKEN TO TANZANIA FOR  
MILITARY TRAINING BY THE PAC AND THEN RETURNED TO  
SWAZILAND TO PARTICIPATE IN THE CLAN FEUD. (THE REASONS  
FOR PAC INTERVENTION IN THE FEUD ARE GIVEN IN MBABANE 1295).  
MNGOMEZULU IS NOW TO BE EXTRADITED TO SOUTH AFRICA ON A  
CHARGE OF MURDER IN CONNECTION WITH A RAID MADE  
INTO SOUTH AFRICA AS PART OF THE ONGOING FEUD.

3. EMBOFF DISCUSSED CASE WITH BAMBA NXUMALO, A SOUTH  
AFRICAN PAC MEMBER WHO FLED RSA JUST AFTER THE 1976  
SOWETO RIOTS. NXUMALO IS A LAW CLERK WHO  
ASSISTED DEFENSE ATTORNEY MUSA SHONGWE. BAMBA  
WAS ONE OF THE FEW PAC MEMBERS NOT PICKED UP; THE  
REASONS ARE UNCLEAR IF NXUMALO WORKED WITH MKHWANAZI-LED PAC  
FACTION. ONE SOURCE INDICATED THAT NXUMALO HAD  
NOT BEEN IN MAINSTREAM OF PAC ACTIVITY AND STRONG  
POSSIBILITY OF FAMILY CONNECTIONS TO LOCALLY  
PROMINENT NXUMALO FAMILY.

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ACTION AF-10

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 INR-10  
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R 161300Z JUN 78  
FM AMEMBASSY MBABANE  
TO SECSTATE WASHDC 4986  
INFO AMEMBASSY GABORONE  
AMEMBASSY MASERU  
AMEMBASSY PRETORIA  
AMEMBASSY MAPUTO  
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5. EMBOFF AND NXUMALO ALSO DISCUSSED THE SHONGWE'S  
TACTICS IN DEFENDING MALINGA AND ZULU. SHONGWE  
REQUESTED THAT THE CHIEF JUSTICE, WHO IS A WHITE SOUTH  
AFRICAN, WITHDRAW FROM THE CASE AS HE IS AN INTERESTED  
PARTY. SHONGWE THEN ATTEMPTED TO ARGUE THAT BY

SIGNING THE DAR-ES-SALAAM DECLARATION THE GOS  
HAD, IN EFFECT, DECLARED WAR AGAINST SOUTH AFRICA  
(NO COPY OF THE DECLARATION COULD BE FOUND IN SWAZILAND).  
THEREFORE CHARGES OF ILLEGAL POSSESSION OF ARMS SHOULD  
BE DROPPED. THE CHIEF JUSTICE DENIED BOTH ARGUMENTS.

6. NXUMALO STATED THAT HE AND OTHER LIBERATION MOVE-  
MENT MEMBERS ARE PERPLEXED BY ERRATIC GOS POLICY  
TOWARDS LIBERATION MOVEMENTS IN SWAZILAND.  
THE ANC AND PAC, ACCORDING TO NXUMALO, HAVE  
SUCCEEDED IN GETTING THE QUESTION OF TRANSIT  
THROUGH SWAZILAND ADDED TO THE AGENDA OF THE  
FORTHCOMING OAU MEETING (PRESUMABLY HE MEANT THE  
LIBERATION COMMITTEE). THEY HAVE ALSO REQUESTED  
AN OAU DELEGATION TO VISIT SWAZILAND TO  
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INVESTIGATE GOS ACTIONS TOWARD THE LIBERATION  
MOVEMENTS.

7. COMMENT: NXUMALO ASSERTION THAT THE OAU WOULD  
BE BECOMING INVOLVED IN LOOKING AT SWAZILAND'S  
ROLE AND LOYALTIES IN SOUTHERN AFRICA IS A CLEAR  
PORTENT FOR THE FUTURE. ONCE THE RHODESIAN QUESTION  
IS SETTLED AND THE FULL ATTENTION OF BLACK AFRICA IS  
FOCUSED ON SOUTH AFRICA, THERE WILL BE GROWING  
PRESSURE ON THE GOS TO DISTANCE ITSELF FROM THE SAG  
AND PERHAPS BECOME A FRONTLINE STATE IN THE STRUGGLE  
FOR AZANIA. FOR THE PRESENT, SWAZILAND WILL FIND IT  
RELATIVELY EASY TO WITHSTAND PRESSURE FROM A FRAGMENTED AND  
TOOTHLESS OAU AS THE GOS CONTINUES TO "HUNKER DOWN" AND  
MAKE SOME HARD-NOSED DECISIONS IN HER SELF INTEREST.  
THE CRUNCH WILL COME WITH THE PASSING OF KING  
SOBHUZA. HIS SUCCESSOR MAY NOT FIND IT SO EASY TO WITH-  
STAND INTERNAL AND EXTERNAL PRESSURES FOR A MAJOR CHANGE  
IN SWAZILAND'S FOREIGN POLICY.  
WACHOB

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
**Concepts:** TRIALS  
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**Decaption Date:** 01 jan 1960  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
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20 Mar 2014  
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